

APPENDIX 1

5/21/01

FILE NO. 010887

ORDINANCE NO.

124-01

[Human Health and Environment Protections for New Electric Generation]

Ordinance adopting minimum requirements for the protection of human health and the environment for any proposal for new electric generation at the Potrero Power Plant in Southeast San Francisco; and requiring all City officials and departments to advocate these requirements, and greater protections, in regulatory proceedings and negotiations regarding the proposal to build a new power plant at the site of the existing Potrero Power Plant; and requiring approval of the Board of Supervisors for any agreement by City officials or departments for new electric generation in Southeast San Francisco.

Note: Additions are single-underline italics Times New Roman;  
deletions are ~~strikethrough italics Times New Roman~~.  
Board amendment additions are double underlined.

Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors hereby finds and declares as follows:

(A) The Energy Resources Conservation and Development Commission (California Energy Commission) has recognized Southeast San Francisco as a minority community entitled to environmental justice;

(B) All of the major electrical generating units in San Francisco are located in Southeast San Francisco which includes the Bayview, Hunters Point, Potrero Hill and Dogpatch neighborhoods;

(C) Southeast San Francisco has a disproportionate number of industrial and polluting facilities;

\*\*Supervisor Maxwell\*\*

BOARD OF SUPERVISORS

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2 this section, such levels include emissions from all actual and potential sources that impact  
3 Southeast San Francisco, except that the emissions from the Hunters Point power plant shall  
4 be deemed to be zero, and the emissions from Potrero Units 4, 5, and 6 shall be calculated on  
5 the basis of actual historic annual emissions for each unit;

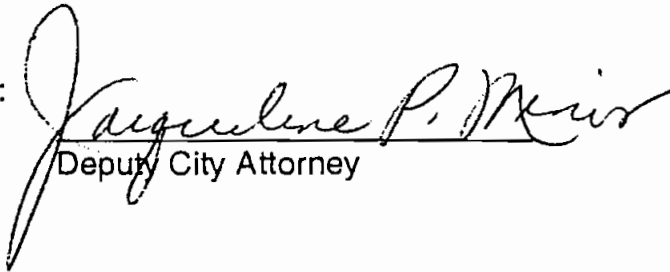
6 (B) The proposal will result in a binding, enforceable agreement, to which the City and County  
7 of San Francisco is a party, which provides that the Hunters Point Power Plant shall be  
8 permanently shut-down as a source of fossil fuel generation by a date certain which shall be  
9 no later than 90 days from the initial firing of generation equipment for any new fossil fuel  
10 generation at the proposed site;

11 (C) The proposal will result in a binding, enforceable agreement, to which the City and County  
12 of San Francisco is a party, which provides that all existing peaker units at the Potrero Power  
13 plant shall be ~~permanently shut-down as a source of fossil fuel generation by a date certain~~  
14 ~~which shall be no later than 90 days from the initial firing of generation equipment for any new~~  
15 ~~fossil fuel generation at the proposed site permanently shut-down as a source of fossil fuel~~  
16 ~~generation by a date certain which shall be no later than 90 days from the initial firing of~~  
17 ~~generation equipment for any new fossil fuel generation at the proposed site; (1) retrofitted or~~  
18 ~~rebuilt, using the best available pollution control technology (BACT) and (2) used only when~~  
19 ~~(a) Unit 7 is unavailable due to California ISO scheduled maintenance, or emergencies of~~  
20 ~~which the City is notified, in writing (giving notice to the San Francisco Public Utilities~~  
21 ~~Commission, the San Francisco District Attorney and the Clerk of the Board of Supervisors),~~  
22 ~~by the owner/operator of the Plant, including notification of the time estimated to complete the~~  
23 ~~emergency maintenance, or (b) if there is a natural disaster which disrupts the flow of natural~~  
24 ~~gas to the Potrero Power Plant. In the event the peaker units are used, the owners and~~  
25 ~~operators of the Plant shall provide written reports of emissions, as specified by the~~  
Department of Public Health, to the City and County of San Francisco.;

efficiency, and renewable alternatives to fossil fuel generation in the City and County of San Francisco. Such plans shall be submitted to the Board of Supervisors by January 1, 2002.

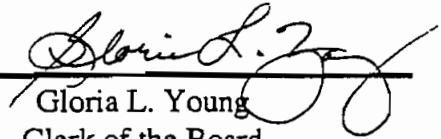
APPROVED AS TO FORM:  
LOUISE H. RENNE, City Attorney

By:

  
Deputy City Attorney

File No. 010887

I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on May 29, 2001 by  
the Board of Supervisors of the City and  
County of San Francisco.

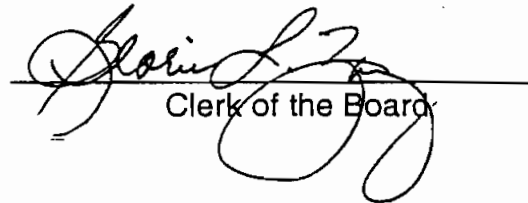
  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board

\_\_\_\_\_  
\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
\_\_\_\_\_  
Mayor Willie L. Brown Jr.

June 8, 2001

I hereby certify that the foregoing ordinance, not being signed by the Mayor  
within the time limit as set forth in Section 3.103 of the Charter, became effective  
without his approval in accordance with the provision of said Section 3.103 of the  
Charter.

  
\_\_\_\_\_  
Clerk of the Board

File No.  
010887